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April 12, 2012

By ECF

Honorable Sandra L. Townes
United States District Judge
225 Cadman Plaza East
Brooklyn, New York 11201

RE: United States v. DiMichele, *et al.*
CR No. 10-147 (S-4)(SLT)

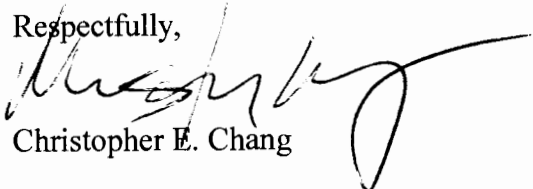
Your Honor:

I am one of the attorneys representing defendant Michael Sciaretta in the above-referenced action. I am writing with regard to the Court's April 6, 2012 Memorandum and Order ("Memorandum") granting the government's motion to empanel an anonymous and partially sequestered jury for the trial of this case. At page 5 of the Memorandum the Court noted:

In a two-page letter dated March 2, 2012, counsel for Sciaretta argues that none of the five factors relied upon by the courts in deciding whether to empanel an anonymous jury apply to him *and requests that his trial be severed from those of his co-defendants if the Court grants the government's motion.* (Emphasis added.)

In granting the government's motion, the Memorandum does not address our request for severance and a separate trial for Mr. Sciaretta. We respectfully request that our severance request be addressed at the next court appearance on May 7th.

Respectfully,



Christopher E. Chang

cc: To All Counsel of Record